

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:04-CR-136
	)	(JORDAN/SHIRLEY)
JAMES DOTSON,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter comes before upon the defendant's Motion to Review Appointment of Counsel [Doc. 32]. This motion, filed by defense attorney Kim Tollison, indicated that the defendant had informed Mr. Tollison that he was being fired. In addition, the Court had before it a letter addressed to the undersigned by Mr. Dotson, expressing objections to Mr. Tollison and his handling of the case. A hearing was held on the motion on May 25, 2005. Present for the defendant was attorney Kim Tollison. Present for the government was Assistant United States Attorney Steven H. Cook. The defendant was also present. At the hearing, Mr. Tollison proffered that Mr. Dotson no longer wanted to terminate his services but wanted him to stay on the case. The Court inquired of Mr. Dotson as to the accuracy of that statement and he agreed that it was accurate. He further stated affirmatively that he and Mr. Tollison had worked out their problems and had resolved most all of the issues and he expected

to resolve what few issues remain. He specifically stated that he wanted Mr. Tollison to stay on as his counsel. Accordingly, the Court essentially deems the defendant's Motion to Review Appointment of Counsel as moot and **GRANTS** the oral relief requested and will allow Mr. Tollison to stay on as counsel of record.

Accordingly, for the reasons set forth herein, the defendant's Motion to Review Appointment of Counsel [Doc. 32] is **DENIED AS MOOT**.

The defendant further moved for additional time to respond to and/or file objections to the Court's Report and Recommendation filed on May 18, 2005. The need for the additional time is made necessary by the fact that Mr. Tollison's status as counsel for Mr. Dotson was in a state of uncertainty pending the hearing today and this Court's ruling. The defendant requested until June 10, 2005, to file any objections to the Report and Recommendation. The government expressed that it had no objections to this requested extension. The Court finds good cause for this request and that the request is reasonable in terms of time. Accordingly, the Court **GRANTS** the defendant's oral Motion for an Extension of Time to File Objections to the Report and Recommendation up to and including **June 10, 2005**.

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge